

Amendment 79

Contract No. 229944

To the Contract for the Design, Implementation, Operation and Maintenance of the Regional Fare Coordination System

This Amendment 79 to the Contract for the Design, Implementation, Operation and Maintenance of the Regional Fare Coordination System is entered into this 12th day of August, 2010, by and between ERG Transit Systems (USA) Inc, a California corporation and wholly owned subsidiary of Vix-ERG Limited, an Australian corporation, (hereinafter referred to as the "Contractor") and each of the following seven public transportation agencies (hereinafter referred to individually as an "Agency" or collectively as the "Agencies"):

1. Central Puget Sound Regional Transit Authority ("Sound Transit")
2. King County ("King County")
3. Kitsap County Public Transportation Benefit Area ("Kitsap Transit")
4. Pierce County Public Transportation Benefit Area ("Pierce Transit")
5. Snohomish County Public Transportation Benefit Area ("Community Transit")
6. City of Everett ("Everett")
7. State of Washington, acting through the Washington State Department of Transportation, Washington State Ferries Division ("WSF")

Recitals

- A. Effective April 29, 2003, each of the Agencies and the Contractor entered into Contract #229944 ("Contract") to implement a Regional Fare Coordination System ("RFC System") to establish a common fare system utilizing smart card technology. The Contractor is responsible for the development, implementation, operation and maintenance of the RFC System as specified in the Contract.
- B. The Agencies and the Contractor desire to amend Section VI of Exhibit 9, Price Schedule Special Programs, to compensate ERG for the work necessary to draft the On Board Equipment (OBE) installation guidelines (i.e. a Site Survey) and update associated system documentation for an Enviro 500 Double-Tall coach for Community Transit (CT). This work is performed per CR-002367.
- C. The Parties agree that the Work necessary to complete the Site Survey for CT will be performed and compensated as described below.

Agreement

Section 1.0 Description of Work

1.1 The Contractor will perform the work necessary to:

(a) Evaluate the Double-Tall coach to produce OBE installation procedures. ERG will determine the mounting locations and methods for the equipment that will be installed on the bus. ERG will determine cable routes, locations of circuit breakers and other installation accessories.

(b) Update all required system documentation. The Contractor has identified the documentation as SEA-04388 CT Installation Procedure – Enviro 500 Double Decker Bus.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the sufficiency of which is hereby acknowledged, the Parties hereby agree to amend the Contract as follows:

Section 2.0 Compensation Changes

Section VI (Implementation) of Exhibit 9, Price Schedule, is hereby amended to read as follows:

VI. IMPLEMENTATION

SPECIAL PROGRAMS

LUMP SUM COST

Amendment No. 79

To perform the work necessary to produce a Site Survey for CT's Enviro 500 Double Decker bus type and associated system documentation updates	
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TOTAL	\$3508
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Section 3.0 Other Terms and Conditions

All other provisions of the Contract not referenced in this Amendment Seventy-nine shall remain in effect.

IN WITNESS WHEREOF, authorized representative of the Agencies and the Contractor have signed their names in the spaces provided below.

ERG Transit Systems (USA) Inc.

By: [Signature]
Its: VICE PRESIDENT
Date: 12th Aug, 2010
IN PROTEST

The Agencies

By: Candace Carlson
Their: ORCA Operations manager
On behalf of the Agencies
Date: August 12, 2010